



THE STATE BAR OF CALIFORNIA COMMITTEE OF BAR EXAMINERS/OFFICE OF ADMISSIONS

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DESCRIPTION AND GRADING OF THE CALIFORNIA BAR EXAMINATION: GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION

The California Bar Examination consists of the General Bar Examination and the Attorneys' Examination. The General Bar Examination has three parts: six essay questions, the Multistate Bar Examination (MBE), and two performance tests (PT'S). The parts of the examination may not be taken separately, and California does not accept the transfer of MBE scores from other jurisdictions. On Tuesday and Thursday applicants will have three hours to answer each set of three essay questions, which are administered during the morning sessions, and three hours for each PT, which are administered during the afternoon sessions. The MBE will be administered on Wednesday.

The examination for those applicants who have applied for and are eligible to take the Attorneys' Examination will be administered on Tuesday and Thursday. It will consist of the six essay questions and two PT's from the General Bar Examination. **Applicants admitted to the Attorneys' Examination will not be permitted to take the Multistate Bar Examination.** Written notification of an attorney's decision to take the General Bar Examination instead of the Attorneys' Examination or to take the Attorneys' Examination instead of the General Bar Examination must be received in the Office of Admissions **by the final filing deadline for applications.** It will not be possible to allow a change after that date, and **applicants must pass the examination selected and approved by the Office of Admissions.**

The examination for all applicants begins Tuesday morning and applicants must be seated no later than twenty minutes before the beginning of the examination so that instructions may be given.

Essay Questions

Each three-hour essay session consists of three essay questions. This part of the examination is designed to measure an applicant's ability to analyze legal issues arising from fact situations. Answers are expected to demonstrate the applicant's ability to analyze the facts of the question, to tell the difference between material facts and immaterial facts, and to discern the points of law and fact upon which the question turns. The answer must show knowledge and understanding of the pertinent principles and theories of law, their qualifications and limitations, and their relationships to each other. The answer should evidence the applicant's ability to apply the law to the given facts and to reason in a logical, lawyer-like manner from the premises adopted to a sound conclusion. An applicant should not merely show that they remember the legal principles, but should demonstrate his/her proficiency in using and applying them.

Performance Test Questions

Performance test questions are designed to test an applicant's ability to understand and apply a select number of legal authorities in the context of a factual problem. Each question consists of a file and library, with instructions advising the applicant what task(s) should be performed. In addition to measuring an applicant's ability to analyze legal issues, performance test questions require applicants to: 1) sift through detailed factual material and separate relevant from irrelevant facts, assess the consistency and reliability of facts, and determine the need for and source of additional facts; 2) analyze the legal rules and principles applicable to a problem and formulate legal theories from facts that may be only partly known and are being developed; 3) recognize and resolve ethical issues arising in practical situations; 4) apply problem solving skills to diagnose a problem, generate alternative solutions, and develop a plan of action; and, 5) communicate effectively, whether advocating, advising a client, eliciting information, or effectuating a legal transaction.

Performance test answers are graded on the applicant's responsiveness to instructions and on the content, thoroughness, organization and persuasiveness of written tasks.

Multistate Bar Examination (MBE)

The Multistate Bar Examination (MBE), which is administered on Wednesday, is developed by the National Conference of Bar Examiners (NCBE). This portion of the examination is an objective six-hour examination containing 200 questions, which is divided into two three-hour sessions during which 100 questions are

administered. The MBE tests six subjects: Constitutional Law, Contracts, Criminal Law, Evidence, Real Property, and Torts. A "Bulletin of Information for Applicants" concerning the Multistate Bar Examination (MBE) is available through the NCBE website www.ncbex.org.

INFORMATION REGARDING GRADING

All examinations answers submitted will be graded. This includes the answers of applicants who may get ill during the examination and do not complete the examination in its entirety.

A phased grading procedure is used to grade the examination. To pass the examination in the first phase of grading an applicant must have a total scaled score (after one reading) of at least 1466 out of 2000 possible points. Those with total scaled scores after one reading below 1390 fail the examination. If the applicant's total scaled score is at least 1390 but less than 1466 after one reading, that applicant's examination is read a second time by a different set of readers. If the applicant's averaged total scaled score after two readings is 1440 or higher, that applicant passes the examination. If the total averaged scaled score is less than 1412, that applicant fails the examination. If after two readings the averaged total scaled score is at least 1412 but less than 1440, or if the applicant received a single read scaled score of more than 1440 but less than 1466, that applicant's examination is automatically sent to reappraisal where a member of the Board of Reappraisers determines whether the examination as a whole merits a pass.

The Committee of Bar Examiners utilizes a grading procedure designed to assure that the difficulty of passing the examination remains unchanged from examination to examination. The statistical technique, called scaling, converts scores on the written section to the same scale of measurement as the MBE. Since the MBE is an "equated" examination (whose scores are adjusted to control examination to examination variations in test difficulty), converting the written section to the MBE scale results in an overall examination which remains at a constant difficulty level, regardless of the differences in the degree of difficulty of the questions from examination to examination and differences in the leniency of the grading from one examination to the next. The examination has two parts: the MBE, which accounts for 35 percent of the total score, and the written section, which accounts for 65 percent. Scaling assures that the two sections of the examination carry the relative weights assigned to them. California adjusted MBE scores are reported on a scale ranging from 0 to 2000 points. On the written section of the examination, applicants are graded initially on a basis of 1000 possible points: 100 points for each of the six essay questions and 200 points for each of the two performance tests. The scores obtained on the written section of the examination are then translated to the 2000-point MBE scale. An applicant's total score is the equated MBE score (on the 2000-point scale) multiplied by .35 plus the converted score on the written section multiplied by .65.

Attorney applicants who take the Attorneys' Examination also have their scores on the written section placed on the same scale of measurement as general applicants, but as they are exempt from the MBE, their pass/fail status is based solely on the written section.

SCOPE OF THE CALIFORNIA GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION
www.calbar.ca.gov/admissions

BAR EXAMINATION STUDY AIDS www.calbar.ca.gov/admissions

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